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6 **UNITED STATES DISTRICT COURT**
7 **WESTERN DISTRICT OF WASHINGTON**
8 **AT SEATTLE**

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 RANDON ALLAN GILFILLAN,

13 Defendant.

NO. CR07-276-JLR

SUMMARY REPORT OF
U.S. MAGISTRATE JUDGE AS
TO ALLEGED VIOLATIONS
OF SUPERVISED RELEASE

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15 An evidentiary hearing on a petition for violation of supervised release was held before
16 the undersigned Magistrate Judge on November 3, 2009. The United States was represented
17 by Assistant United States Attorney Jim Lord, and the defendant by Peter Mazzone. The
18 proceedings were digitally recorded.

19 The defendant had been charged and convicted of Accessory After the Fact: Robbery of
20 a Pharmacy, in violation of 18 U.S.C. §§ 2118 (a) and 3. On or about January 7, 2008,
21 defendant was sentenced by the Honorable James L. Robart to a term of eighteen (18) months
22 in custody, to be followed by three (3) years of supervised release.

23 The conditions of supervised release included the requirements that the defendant
24 comply with all local, state, and federal laws, and with the standard conditions. Special
25 conditions imposed included, but were not limited to, substance abuse and mental health
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1 programs, financial disclosure, \$9,744.44 restitution, search, no firearms, no new credit, and
2 shall not enter establishments with alcohol.

3 In a Petition for Warrant or Summons, dated March 24, 2009, U.S. Probation Officer
4 Steven R. Gregoryk asserted the following violation by defendant of the conditions of his
5 supervised release:

- 6 (1) Failing to notify the probation office at least 10 days prior to any change in
7 residence, in violation of standard condition no. 6.

8 On October 27, 2009, defendant made his initial appearance. The defendant was
9 advised of the allegation and advised of his rights. On November 3, 2009, defendant appeared
10 for an evidentiary hearing on the alleged violation. Defendant admitted to violation 1.

11 I therefore recommend that the Court find the defendant to have violated the terms and
12 conditions of his supervised release as to violation 1, and that the Court conduct a hearing
13 limited to disposition. A disposition hearing on these violations has been set before the
14 Honorable James L. Robart on November 12, 2009 at 10:00 a.m.

15 Pending a final determination by the Court, the defendant has been detained.

16 DATED this 3rd day of November, 2009.

17 
18 JAMES P. DONOHUE
19 United States Magistrate Judge

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22 cc: District Judge: Honorable James L. Robart
23 AUSA: Mr. Jim Lord
24 Defendant's attorney: Mr. Peter Mazzone
25 Probation officer: Mr. Steven R. Gregoryk
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